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APR 26 2004

SENT TO: Examiner Nichols

DATE SENT: April 26, 2004

SUBJECT: Appln No. 09/441,140 SOLOMON=14

No. of pages (including this cover sheet): 86

FROM: Roger L. Browdy

Remarks:

OFFICIAL

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Beka SOLOMON

Art Unit: 1842

Application No.: 09/441,140

Conf. No. 3910

Examiner: S. Ungar

Filed: November 18, 1999

Washington, D.C.

For: PREVENTION OF PROTEIN AGGREGATION

Atty.'s Docket: SOLOMON#14

Date: February 23, 2004

THE COMMISSIONER OF PATENTS
2011 South Clark Place, Mail Stop
Crystal Plaza Two, Lobby, Room 1803
Arlington, VA 22202

Sir:

Transmitted herewith is a [X] Amendment [X] ^{1st} Declaration by Beka Solomon with 7 attached articles; 2nd Declaration by Beka Solomon; 6 additional articles; and Original Letters Patent of USP 5,888,651

in the above-identified application.

[] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[] No additional fee is required.

[X] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	- 20	MINUS	** 99	0
INDEP.	+ 5	MINUS	*** 28	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 43	\$
+ 145	\$
ADDITIONAL FEE TOTAL	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 88	\$
+ 290	\$ 290
TOTAL	

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[X] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within
[] First - \$ 55.00
[] Second - \$ 210.00
[] Third - \$ 475.00
[] Fourth - \$ 740.00
Month After Time Period Set

Other Than Small Entity
Response Filed Within
[] First - \$ 110.00
[] Second - \$ 420.00
[] Third - \$ 950.00
[] Fourth - \$ 1480.00
Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on

[] Please charge my Deposit Account No. 02-4035 in the amount of \$.

[X] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 290.00.

[] A check in the amount of \$ is attached (check no.).

[X] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4036. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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APR 26 2004

Atty. Docket: SOLOMON=1R

In re Application of:)	Conf. No.: 3910
Beka SOLOMON)	Art Unit: 1647
Appln. No.: 09/441,140)	Examiner: C. Nichols
Filed: November 16, 1999)	Washington, D.C.
For: PREVENTION OF PROTEIN)	February 23, 2004
AGGREGATION)	

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AMENDMENT

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Amendment Non-Fee
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

In response to the Official action of August 22,
2003, please amend as follows:

IN THE SPECIFICATION

please amend the paragraph beginning at column 7,
line 1, as follows:

In the present invention, the expression vector for
use as a therapeutic agent comprises a nucleic acid including
at least one sequence which encodes in expressible form an
anti-aggregation molecule, which molecule binds to an
aggregating protein that is the cause of a disease and which
prevents aggregation but does not interfere with bioactivity.
In a preferred embodiment the expression vector includes the
sequence for a human monoclonal antibody that is an anti- β -